

**Exhibit 1**

**(Service Information)**

## ALABAMA SJIS CASE DETAIL

PREPARED FOR: MI



County: **01** Case Number: **CV-2018-904746.00** Court Action:  
 Style: **CARTAVIOUS WASHINGTON V. TRANS-TEXAS EXPRESS, INC.**

## Case

## Case Information

County:	<b>01-JEFFERSON -</b>	Case Number:	<b>CV-2018-904746.00</b>	Judge:	<b>MJH:MARSHEI</b>
Style:	<b>CARTAVIOUS WASHINGTON V. TRANS-TEXAS EXPRESS, INC.</b>				
Filed:	<b>11/27/2018</b>	Case Status:	<b>ACTIVE</b>	Case Type:	<b>NEGLIGENCE I</b>
Trial Type:	<b>JURY</b>	Track:		Appellate Case:	<b>0</b>
No of Plaintiffs:	<b>1</b>	No of Defendants:	<b>1</b>		

## Damages

Damage Amt:	<b>0.00</b>	Punitive Damages:	<b>0.00</b>	General Damages:	<b>0.00</b>
No Damages:		Compensatory Damages:	<b>0.00</b>		
Pay To:		Payment Frequency:		Cost Paid By:	

## Court Action

Court Action Code:		Court Action Desc:		Court Action Date:	
Num of Trial days:	<b>0</b>	Num of Liens:	<b>0</b>	Judgment For:	
Disposition Date of Appeal:		Disposition Judge:		Disposition Type:	
Revised Judgement Date:		Minstral:		Appeal Date:	
Date Trial Began but No Verdict (TBNV1):					
Date Trial Began but No Verdict (TBNV2):					

## Comments

Comment 1:  
 Comment 2:

## Appeal Information

Appeal Date:		Appeal Case Number:		Appeal Court:	
Appeal Status:		Orgin Of Appeal:			
Appeal To:		Appeal To Desc:		LowerCourt Appeal Date:	
Disposition Date Of Appeal:		Disposition Type Of Appeal:			

## Administrative Information

Transfer to Admin Doc Date:		Transfer Reason:		Transfer Desc:	
Number of Subpoenas:		Last Update:	<b>11/27/2018</b>	Updated By:	<b>AJA</b>

## Parties

## Party 1 - Plaintiff INDIVIDUAL - WASHINGTON CARTAVIOUS

## Party Information

Party:	<b>C001-Plaintiff</b>	Name:	<b>WASHINGTON CARTAVIOUS</b>	Type:	<b>I-</b>
Index:	<b>D TRANS-TEXAS</b>	Alt Name:		Hardship:	<b>No</b>
Address 1:	<b>112 BAY STREET</b>			JID:	<b>N</b>
				Phone:	<b>(205) 000-0000</b>

Address: City: **TUSKEGEE** State: **AL** Zip: **36083-0000** Country: **U**  
 SSN: **XXX-XX-X999** DOB: Sex: Race:

### Court Action

Court Action: Court Action Date:  
 Amount of Judgement: **\$0.00** Court Action For: Exemptions:  
 Cost Against Party: **\$0.00** Other Cost: **\$0.00** Date Satisfied:  
 Comment: Arrest Date:  
 Warrant Action Date: Warrant Action Status: Status Description:

### Service Information

Issued: Issued Type: Reissue: Reissue Type:  
 Return: Return Type: Return: Return Type:  
 Served: Service Type: Service On: Served By:  
 Answer: Answer Type: Notice of No Service: Notice of No Answer:

### Attorneys

Number	Attorney Code	Type of Counsel	Name	Email
Attorney 1	MOA001		MOAK ANDREW JOSEPH	AMOAK@ASILPC.COM

### Party 2 - Defendant BUSINESS - TRANS-TEXAS EXPRESS, INC.

#### Party Information

Party: **D001-Defendant** Name: **TRANS-TEXAS EXPRESS, INC.** Type: **B**  
 Index: **C WASHINGTON C** Alt Name: Hardship: **No** JID: **N**  
 Address 1: **C/O BLANCA E. RODRIGUEZ** Phone: **(205) 000-0000**  
 Address 2: **313 PINTO VALLE DRIVE**  
 City: **LAREDO** State: **TX** Zip: **78405-0000** Country: **U**  
 SSN: **XXX-XX-X999** DOB: Sex: Race:

### Court Action

Court Action: Court Action Date:  
 Amount of Judgement: **\$0.00** Court Action For: Exemptions:  
 Cost Against Party: **\$0.00** Other Cost: **\$0.00** Date Satisfied:  
 Comment: Arrest Date:  
 Warrant Action Date: Warrant Action Status: Status Description:

### Service Information

Issued: **11/29/2018** Issued Type: **C-CERTIFIED MAIL** Reissue: **01/04/2019** Reissue Type: **M-MAIL**  
 Return: **12/30/2018** Return Type: **R-REFUSED** Return: Return Type:  
 Served: **01/07/2019** Service Type: **M-MAIL** Service On: Served By:  
 Answer: Answer Type: Notice of No Service: Notice of No Answer:

**Attorneys**

Number	Attorney Code	Type of Counsel	Name	Email
Attorney 1	000000		PRO SE	

**Financial****Fee Sheet**

Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold
ACTIVE	N	AOCC	C001	000	\$8.04	\$8.04	\$0.00	\$0.00
ACTIVE	N	CONV	C001	000	\$0.00	\$18.36	\$0.00	\$0.00
ACTIVE	N	CV05	C001	000	\$306.00	\$306.00	\$0.00	\$0.00
ACTIVE	N	JDMD	C001	000	\$100.00	\$100.00	\$0.00	\$0.00
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00
<b>Total:</b>					<b>\$459.04</b>	<b>\$477.40</b>	<b>-\$18.36</b>	<b>\$0.00</b>

**Financial History**

Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason
11/30/2018	CREDIT	CONV	2019040	2630	\$18.36	C001	000		N	
11/30/2018	RECEIPT	AOCC	2019040	2620	\$8.04	C001	000		N	
11/30/2018	RECEIPT	CV05	2019040	2640	\$306.00	C001	000		N	
11/30/2018	RECEIPT	JDMD	2019040	2650	\$100.00	C001	000		N	
11/30/2018	RECEIPT	VADM	2019040	2660	\$45.00	C001	000		N	

**Case Action Summary**

Date	Time	Code	Comments
11/27/2018	4:26 PM	ECOMP	COMPLAINT E-FILED.
11/27/2018	4:27 PM	FILE	FILED THIS DATE: 11/27/2018 (AV01)
11/27/2018	4:27 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)
11/27/2018	4:27 PM	ASSJ	ASSIGNED TO JUDGE: MICHAEL G GRAFFEO (AV01)
11/27/2018	4:27 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)
11/27/2018	4:27 PM	TDMJ	JURY TRIAL REQUESTED (AV01)
11/27/2018	4:27 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)
11/27/2018	4:27 PM	ORIG	ORIGIN: INITIAL FILING (AV01)
11/27/2018	4:27 PM	C001	C001 PARTY ADDED: WASHINGTON CARTAVIOUS (AV02)
11/27/2018	4:27 PM	C001	INDIGENT FLAG SET TO: N (AV02)
11/27/2018	4:27 PM	C001	LISTED AS ATTORNEY FOR C001: MOAK ANDREW JOSEPH
11/27/2018	4:27 PM	C001	C001 E-ORDER FLAG SET TO "Y" (AV02)
11/27/2018	4:27 PM	D001	D001 PARTY ADDED: TRANS-TEXAS EXPRESS, INC. (AV02)
11/27/2018	4:27 PM	D001	INDIGENT FLAG SET TO: N (AV02)
11/27/2018	4:27 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)
11/27/2018	4:27 PM	D001	CERTIFIED MAIL ISSUED: 11/27/2018 TO D001 (AV02)
11/27/2018	4:27 PM	D001	D001 E-ORDER FLAG SET TO "Y" (AV02)
11/28/2018	4:22 PM	D001	CERTIFIED MAIL ISSUED: 11/29/2018 TO D001 (AV02)
11/28/2018	4:26 PM	ESCAN	SCAN - FILED 11/27/2018 - NOTICE
1/4/2019	1:52 PM	D001	RETURN OF REFUSED ON 12/30/2018 FOR D001 (AV02)
1/4/2019	1:53 PM	ESERC	SERVICE RETURN
1/4/2019	1:53 PM	D001	REISSUE OF MAIL ON 01/04/2019 FOR D001 (AV02)

11/4/2018 11:59 AM EMOT C001-CHANGE OF VENUE/TRANSFER FILED.  
 2/6/2019 1:07 PM EMOT C001-CHANGE OF VENUE/TRANSFER /DOCKETED

## Images

Date:	Doc#	Title	Description
11/27/2018 4:27:00 PM	1	CIVIL_COVER_SHEET	CIRCUIT COURT - CIVIL CASE
11/27/2018 4:27:01 PM	2	COMPLAINT	
11/27/2018 4:27:01 PM	3	INTERROGATORIES(R33)	Plaintiff's First Combined Discovery to Defendant
11/27/2018 4:28:12 PM	4	COMPLAINT - TRANSMITTAL	E-NOTICE TRANSMITTALS
11/27/2018 4:28:13 PM	5	COMPLAINT - SUMMONS	E-NOTICE TRANSMITTALS
11/28/2018 4:26:53 PM	6	NOTICE	S/C
1/4/2019 1:53:44 PM	8	SERVICE RETURN - TRANSMITTAL	E-NOTICE TRANSMITTALS
1/4/2019 1:53:39 PM	7	SERVICE RETURN	SERVICE RETURN
2/6/2019 11:59:56 AM	9	MOTION_COVER_SHEET	Motion Cover Sheet
2/6/2019 11:59:56 AM	10	MOTION	Motion to Transfer Venue
2/6/2019 11:59:58 AM	11	MOTION - TRANSMITTAL	E-NOTICE TRANSMITTALS



END OF THE REPORT



## NOTICE TO CLERK

REQUIREMENTS FOR COMPLETING SERVICE BY  
CERTIFIED MAIL OR FIRST CLASS MAIL

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA  
CARTAVIOUS WASHINGTON V. TRANS-TEXAS EXPRESS, INC.

01-CV-2018-904746.00

To: CLERK BIRMINGHAM  
clerk.birmingham@alacourt.gov

TOTAL POSTAGE PAID: \$8.04

Parties to be served by Certified Mail - Return Receipt Requested

TRANS-TEXAS EXPRESS, INC.

Postage: \$8.04

C/O BLANCA E. RODRIGUEZ

313 PINTO VALLE DRIVE

LAREDO, TX 78405

Parties to be served by Certified Mail - Restricted Delivery - Return Receipt Requested

Parties to be served by First Class Mail

DOCUMENT 6

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$

☐ Return Receipt (electronic) \$

☐ Certified Mail Restricted Delivery \$

☐ Adult Signature Required \$

☐ Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Sent To


Street and Apt. No., or PO Box No.

City, State, ZIP+4<sup>®</sup>

PS Form 3800, April 2010 PSN 7530-02-000-9053 See Reverse for Instructions

7018 2290 0000 5737 4867

Postmark  
Here


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p style="text-align: center;">TRANS-TEXAS EXPRESS, INC. C/O BLANCA E. RODRIGUEZ 313 PINTO VALLE DRIVE LAREDO, TX 78405</p> <div style="text-align: center;">             9590 9402 4424 8248 9002 52         </div> <p style="text-align: center;">7018 2290 0000 5737 4867</p>	<p>A. Signature</p> <p style="text-align: right;"><input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p style="font-size: 1.5em; margin-top: 10px;">OK 904746 SC</p> <p>3. Service Type</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express<sup>®</sup></td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail<sup>TM</sup></td> </tr> <tr> <td><input type="checkbox"/> Certified Mail<sup>®</sup></td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation<sup>TM</sup></td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> </table> <p style="text-align: center;">Mail Restricted Delivery 300</p>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express <sup>®</sup>	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail <sup>TM</sup>	<input type="checkbox"/> Certified Mail <sup>®</sup>	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation <sup>TM</sup>	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express <sup>®</sup>												
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail <sup>TM</sup>												
<input type="checkbox"/> Certified Mail <sup>®</sup>	<input type="checkbox"/> Registered Mail Restricted Delivery												
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise												
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation <sup>TM</sup>												
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery												

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.          ■ Print your name and address on the reverse so that we can return the card to you.          ■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>TRANS-TEXAS EXPRESS, INC.          C/O BLANCA E. RODRIGUEZ          313 PINTO VALLE DRIVE          LAREDO, TX 78405</p> <p>9590 9402 4424 8248 9002 52</p> <p>7018 2290 0000 5737 4867</p> <p>PS Form 3811, July 2015 PSN 7530-02-000-9093</p>		<p>A. Signature  <input checked="" type="checkbox"/> <i>COLE 964746 S/C</i></p> <p>B. Received by (Printed Name)  <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Service Type</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Mail Restricted Delivery</p>		<p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
Domestic Return Receipt			



U.S. POSTAGE & FINE REVENUE  
  
 ZIP 35203 \$ 008.04  
 02 4th  
 0000353985 NOV 29, 2011

FILED IN: OFFICE  
CIRCUIT CIVIL DIVISION  
JAN 02 2019  
ANNE-MARIE ADAMS  
CLERK

Revised

**Exhibit 2**

**(Plaintiff's Original Complaint and Motion to Transfer)**

DOCUMENT 2



**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA**

**CARTAVIOUS WASHINGTON, an** )  
**individual,** )

**Plaintiff,** )

**v.** )

**Case No.: CV-2018-\_\_\_\_\_**

**TRANS TEXAS EXPRESS, INC., a** )

**foreign corporation; and No. 1, whether singular or plural, that entity or those entities who or which include that person, firm, corporation or other legal entity, if not already correctly stated herein, who or which owned, leased or was otherwise in possession or control of the vehicles being driven by Pedro H. Fernandez on the date of the incident forming the basis of the Plaintiff's Complaint; No. 2, whether singular or plural, that entity or those entities who or which include that person, firm, corporation or other legal entity, if not already correctly stated herein, who or which employed or who or which was the employer of Pedro H. Fernandez on the date of the incident forming the basis of the Plaintiff's Complaint; No. 3, whether singular or plural, that entity or those entities, including, but not limited to, the drivers of the commercial motor vehicles whose negligence caused the Plaintiff's injuries on the date of the incident forming the basis of the Plaintiff's Complaint; No. 4, whether singular or plural, that entity or those entities, including, but not limited to, the drivers of the commercial motor vehicles whose wantonness, recklessness or willfulness caused the Plaintiff's injuries on the occasion forming the basis of the Plaintiff's Complaint; No. 5, whether singular or plural, that entity or those entities, including, but not limited to, that entity or those entities who or which was the master, principal or employer of the drivers of the commercial motor vehicles involved in the incident forming the basis of the Plaintiff's Complaint; No. 6, whether singular or plural, that entity or those entities for whom the drivers of the commercial motor vehicles involved in the incident forming the basis of the Plaintiff's Complaint were performing a duty or service at the time of the incident; No. 7, whether singular or plural, that entity or those entities, including, but not limited to, that entity or those entities on whose behalf the commercial motor vehicles involved in the collision forming the basis of this lawsuit were being operated at the time of the incident forming the basis of the Plaintiff's Complaint; No. 8, whether singular or plural, that entity or those entities that selected, hired, trained, supervised or retained the drivers of the commercial motor vehicles involved in the incident forming the basis of the Plaintiff's Complaint; No. 9, whether singular or plural, that entity or those entities who or which are responsible for the negligent or wanton hiring, training or supervision of the drivers of the commercial motor vehicles involved in the incident forming the basis of the Plaintiff's Complaint; No. 10, whether singular or plural, that entity or those entities that issued any policy of insurance that provided coverage for the Plaintiff's injuries received as a result of the incident forming the basis of the Plaintiff's Complaint, including, but not limited to, uninsured/underinsured motorist coverage, secondary, "umbrella," and/or excess insurance coverage; No. 11, whether singular or plural, that entity or those entities who or which afforded any insurance coverage to either the drivers or the owners of the commercial motor vehicles involved in the incident forming the basis of the Plaintiff's Complaint; No. 12, whether singular or plural, that entity or those entities who or which are the successor-in-interest of any of the entities described herein; No. 13, whether singular or plural, that entity or those entities who or**

## DOCUMENT 2

which are the predecessor-in-interest of any of those entities described herein; No. 14, whether singular or plural, that entity or those entities whose negligent, wanton, reckless or willful conduct caused or contributed to cause the collision forming the basis of the Plaintiff's Complaint; No. 15, whether singular or plural, that entity or those entities that maintained the commercial motor vehicles and whose negligence, wantonness, recklessness or willfulness caused or contributed to cause the Plaintiff's injuries; and No. 16, whether singular or plural, that entity or those entities that either sold, gave or otherwise provided intoxicating beverages to the drivers of the commercial motor vehicles involved in the collision forming the basis of the Plaintiff's Complaint. The Plaintiff avers that that identities of the fictitious parties Defendant are otherwise unknown to the Plaintiff at this time, or if their names are known, their identities as proper parties Defendant are not known to the Plaintiff at this time, but their true names will be substituted by amendment when ascertained,

Defendants.

**COMPLAINT**

COMES NOW Plaintiff CARTAVIOUS WASHINGTON, and for the relief hereinafter sought, respectfully shows unto this Honorable Court as follows:

**Parties**

1. Plaintiff CARTAVIOUS WASHINGTON is an adult resident citizen of Macon County, Alabama.
2. Defendant TRANS TEXAS EXPRESS, INC. is, upon information and belief, a foreign corporation with its principal place of business in Laredo, Texas.
3. At the time of the collision forming the basis of this civil action, Defendant TRANS TEXAS EXPRESS, INC. was operating in and doing business in the State of Alabama.
4. On or about January 31, 2017, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 owned and/or leased, maintained and controlled a 2011 Kenworth commercial motor vehicle (VIN # 1XKAD49X3BJ290851) involved in a collision with Plaintiff CARTAVIOUS WASHINGTON.



DOCUMENT 2

5. Pedro H. Fernandez was at all times pertinent to this civil action an employee working for and under the control of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 and was the operator of the 2011 Kenworth commercial motor vehicle (VIN # 1XKAD49X3BJ290851) owned and/or leased, maintained and controlled by Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 on January 31, 2017.

6. All of the acts and omissions of Pedro H. Fernandez alleged in this civil action were acts and omissions that occurred while Pedro H. Fernandez was acting within the line and scope of his employment as an employee of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

7. This Complaint is brought against all employees and agents of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 and against the officers, directors, managerial agents, supervisors and safety personnel for Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 who set policy or who play any role in the policymaking process, or any role in the hiring, training, retention and supervision of the employees of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

DOCUMENT 2

8. Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 as a legal entity, can only act through its officers, employees and agents. As the employer of those who set policies and play any role in the hiring, training, retention and supervision of the employees, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 are responsible for its tortious acts or omissions that are the direct and proximate cause of injuries to Plaintiff CARTAVIOUS WASHINGTON.

**Factual Allegations**

9. The Plaintiff adopts and incorporates paragraphs one (1) through eight (8) as if fully set out herein.

10. On or about January 31, 2017, Plaintiff CARTAVIOUS WASHINGTON was Northbound on I-85 in Montgomery County, Alabama, between Taylor Road and Atlanta Highway.

11. At the same time and place, Pedro H. Fernandez was operating a commercial motor vehicle that was leased and/or owned by Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 and was also Northbound on I-85 in Montgomery County, Alabama, between Taylor Road and Atlanta Highway.

12. At the same time and place, Pedro H. Fernandez was employed by and was acting within the line and scope of his employment as a driver and hauler working for the commercial benefit of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties

DOCUMENT 2

Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

13. At the same time and place, Pedro H. Fernandez caused and/or allowed his commercial vehicle to collide with the vehicle operated by Plaintiff CARTAVIOUS WASHINGTON.

14. As a direct and proximate consequence of the collision described herein, the Plaintiff was caused to suffer personal injuries and damages as described with particularity in paragraph nineteen (19), below.

**Count One**  
**Respondent Superior**  
**(Trans Texas Express, Inc.)**

15. The Plaintiff adopts and incorporates paragraphs one (1) through fourteen (14) as if fully set out herein.

16. At the time and place of the collision forming the basis of this civil action, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 were the principal, master and/or employer of Pedro H. Fernandez.

17. At the time and place of the collision forming the basis of this civil action, Pedro H. Fernandez was the agent, servant and/or employee of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

18. At the time and place of the collision forming the basis of this civil action, Pedro H. Fernandez was acting within the line and scope of his employment with Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described

DOCUMENT 2

herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 and was operating a commercial motor vehicle in furtherance of the business purposes of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

19. As a result of the foregoing, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, as principals, are vicariously liable to Plaintiff CARTAVIOUS WASHINGTON for the negligent, wanton, reckless or willful conduct of Pedro H. Fernandez, as agent, which proximately caused injuries and damages to Plaintiff CARTAVIOUS WASHINGTON, including, but not limited to:

- a. The Plaintiff was caused to suffer injuries to his person that were and are attended by physical pain and suffering;
- b. The Plaintiff was caused and will be caused in the future to incur medical expenses in an effort to treat and cure his injuries;
- c. The Plaintiff suffered permanent injuries and disfigurement;
- d. The Plaintiff suffered mental anguish and emotional distress; and
- e. The Plaintiff suffered past, present and future lost earnings and lost earning capacity.

WHEREFORE, PREMISES CONSIDERED, Plaintiff CARTAVIOUS WASHINGTON requests that the jury selected to hear this case render a verdict for the Plaintiff and against Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 for compensatory damages in an amount that will adequately compensate the Plaintiff for the injuries and damages sustained due to the Defendant's conduct, and for punitive damages in an amount that will adequately reflect the enormity and wrongfulness of the Defendant's conduct and deter



DOCUMENT 2

similar future conduct. Furthermore, the Plaintiff requests that the Court enter a judgment consistent with the jury's verdict, together with interest from the date of the judgment and the costs incurred in prosecuting this lawsuit.

**Count Two**  
**Negligent Hiring, Training, Retention & Supervision**  
**(Trans Texas Express, Inc.)**

20. The Plaintiff adopts and incorporates paragraphs one (1) through nineteen (19), as if fully set out herein.

21. At all times relevant to the events forming the basis of this civil action, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 owed a duty to Plaintiff CARTAVIOUS WASHINGTON, and to the other members of the motoring public, to exercise reasonable care in:

- a. Hiring and retaining their drivers;
- b. Providing training and instruction to their drivers;
- c. Properly supervising their drivers;
- d. Complying with federal, state or local regulations concerning the inspection, maintenance and operation of their commercial motor vehicles;
- e. Ensuring that their drivers comply with applicable company policies, as well as all federal, state or local regulations concerning the inspection, maintenance and operation of their commercial motor vehicles;
- e. Establishing safe procedures for the operation of their commercial motor vehicles; and
- f. Inspecting, maintaining and repairing their commercial motor vehicles.

22. At all times relevant to the events forming the basis of this civil action, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and

DOCUMENT 2

described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 breached the duties set forth above by failing to use reasonable care in the:

- a. Hiring of their drivers, employees or agents, including Pedro H. Fernandez;
- b. Training of their drivers, employees or agents, including Pedro H. Fernandez;
- c. Retention of their drivers, employees or agents, including Pedro H. Fernandez;
- d. Supervision of its business operations, by failing to properly monitor the driving habits and records of their drivers, employees or agents in a manner consistent with accepted industry practices, including Pedro H. Fernandez;
- e. Instruction of their drivers, employees or agents, including Pedro H. Fernandez;
- f. Supervision of their drivers, employees or agents, including Pedro H. Fernandez;
- g. Entrustment of a commercial vehicle to their drivers, employees or agents, including Pedro H. Fernandez;
- h. Inspection of their commercial motor vehicles;
- i. Proper execution of their business practices and procedures;
- j. Compliance with state and federal regulations;
- k. Enforcement of their drivers', employees' or agents' compliance with state and federal regulations, including Pedro H. Fernandez;
- l. Utilization of available information to properly monitor their drivers, employees or agents, including Pedro H. Fernandez, for compliance with company policies, state regulation and federal regulations; and
- m. Other ways that are as yet unknown, but may be revealed after further investigation and discovery.

23. As the entity that employed and controlled Pedro H. Fernandez, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described

DOCUMENT 2

herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 failed to take the required actions to assure that he was properly hired, trained, retained and supervised.

24. As a proximate consequence of Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16's breaches of the duties described above and specifically related to its negligent hiring, training, retention and supervision of Pedro H. Fernandez, Plaintiff CARTAVIOUS WASHINGTON suffered the injuries and damages set forth in paragraph nineteen (19), above.

WHEREFORE, PREMISES CONSIDERED, Plaintiff CARTAVIOUS WASHINGTON requests that the jury selected to hear this case render a verdict for the Plaintiff and against Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 for compensatory damages in an amount that will adequately compensate the Plaintiff for the injuries and damages sustained due to the Defendant's conduct, and for punitive damages in an amount that will adequately reflect the enormity and wrongfulness of the Defendant's conduct and deter similar future conduct. Furthermore, the Plaintiff requests that the Court enter a judgment consistent with the jury's verdict, together with interest from the date of the judgment and the costs incurred in prosecuting this lawsuit.

**Count Three**  
**Negligence Per Se**

25. The Plaintiff adopts and incorporates paragraphs one (1) through twenty-four (24), as if fully set out herein.

26. Under the Federal Motor Carrier Safety Regulations, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein

## DOCUMENT 2

and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 owed the general public, including Plaintiff CARTAVIOUS WASHINGTON, a duty to determine the qualifications of its employees, including, but not limited to, (a) adequately evaluating applicants before hiring them as commercial drivers, and (b) adequately evaluating these persons' performance, including thorough training and supervision, so as to discharge any incompetent or negligent applicant/employee before he injures any member of the motoring public.

27. Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 had a statutory duty to properly screen its applicants for employment. Under the Federal Motor Carrier Safety Regulations, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 had numerous statutory duties, including, but not limited to, the following:

- a. To ensure the general qualifications of any driver it permitted to operate one of its tractor-trailers. 49 C.F.R. §391.11 & §391.15;
- b. To ensure that a driver it permitted to operate one of its tractor-trailers possessed the requisite familiarity with the proper location, distribution and securement of his cargo. 49 C.F.R. §391.13;
- c. To obtain a completed employment application before permitting an applicant to operate one of its tractor-trailers. 49 C.F.R. §391.21;
- d. To fully investigate a driver's employment history by all reasonable means. 49 C.F.R. §391.23(d)-(k);
- e. To fully investigate the past three (3) years of a driver's driving history and to document evidence of that investigation within thirty (30) days of employment. 49 C.F.R. §391.23(a)-(c);
- f. To properly conduct an annual inquiry and review of a driver's driving record. 49 C.F.R. §391.25;



DOCUMENT 2

- g. To properly obtain records of all violations of motor vehicle traffic laws for each of its drivers every twelve (12) months. 49 C.F.R. §391.27;
- h. To require a successfully completed road test before commencing employment and permitting an applicant to operate one of its tractor-trailers. 49 C.F.R. §391.31;
- i. To ensure the physical and medical qualifications of its applicants. 49 C.F.R. §§391.41-391.49;
- j. To maintain an appropriate driver qualification file for each of its drivers. 49 C.F.R. §391.51;
- k. To maintain an appropriate driver investigation history file for each of its drivers. 49 C.F.R. §391.53; and
- l. To operate its commercial motor vehicles within the operating authority granted to it by the U.S. Department of Transportation Federal Motor Carrier Safety Administration. Form OP-1.

28. Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 breached each of these statutory obligations and permitted Pedro H. Fernandez to operate its commercial motor vehicles after negligible efforts, if any, to determine whether Pedro H. Fernandez was competent and fit to drive its commercial motor vehicles.

29. Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 had a duty to comply with the Federal Motor Carrier Safety Regulations so as to protect the general public, including Plaintiff CARTAVIOUS WASHINGTON, from the unsafe operation of commercial motor vehicles hauling cargo in interstate commerce. Plaintiff CARTAVIOUS WASHINGTON belongs to the class of persons that the Federal Motor Carrier Safety Regulations were intended to protect, and the personal injuries suffered by Plaintiff

DOCUMENT 2

CARTAVIOUS WASHINGTON were the types of injuries that the federal safety regulations were specifically intended to prevent.

30. Plaintiff CARTAVIOUS WASHINGTON's injuries were proximately caused by Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16's breaches of the statutory obligations referenced in paragraph twenty-seven (27), above. If it had properly screened Pedro H. Fernandez' background, Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 would not have hired or retained him as a commercial driver, and this incident would not have occurred.

WHEREFORE, PREMISES CONSIDERED, Plaintiff CARTAVIOUS WASHINGTON requests that the jury selected to hear this case render a verdict for the Plaintiff and against Defendant TRANS TEXAS EXPRESS, INC. and one or more of the fictitious parties Defendant listed and described herein and numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 for compensatory damages in an amount that will adequately compensate the Plaintiff for the injuries and damages sustained due to the Defendant's conduct, and for punitive damages in an amount that will adequately reflect the enormity and wrongfulness of the Defendant's conduct and deter similar future conduct. Furthermore, the Plaintiff requests that the Court enter a judgment consistent with the jury's verdict, together with interest from the date of the judgment and the costs incurred in prosecuting this lawsuit.

**Dated:** This, the 27<sup>th</sup> day of November, 2018.

DOCUMENT 2

/s/ Andrew J. Moak

Andrew J. Moak (MOA001)

Attorney for the Plaintiffs

**OF COUNSEL:**

SHUNNARAH INJURY LAWYERS, P.C.

2900 1<sup>st</sup> Avenue South

Birmingham, Alabama 35233

P (205) 983-8163

F (205) 983-8463

**PLAINTIFF HEREBY DEMANDS A TRIAL BY STRUCK JURY.**

/s/ Andrew J. Moak

OF COUNSEL

**CLERK: Please Serve Defendant by Certified Mail:**

TRANS-TEXAS EXPRESS, INC.

c/o Blanca E. Rodriguez, Registered Agent

313 Pinto Valle Drive

Laredo, Texas 78405



**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA**

**CARTAVIOUS WASHINGTON, an** )  
**individual,** )

**Plaintiff,** )

**v.** )

**Case No.: CV-2018-\_\_\_\_\_**

**TRANS TEXAS EXPRESS, INC., a** )  
**foreign corporation; et al.,** )

**Defendants.** )

**PLAINTIFF'S FIRST COMBINED DISCOVERY REQUESTS TO DEFENDANT TRANS TEXAS EXPRESS, INC.**

Plaintiff hereby serves these First Combined Discovery Requests upon the Defendant, TRANS TEXAS EXPRESS, INC., to be answered under oath in accordance with *Alabama Rules of Civil Procedure* 26, 33 and 34. These combined discovery requests shall be deemed continuing so as to require supplemental answers if the person to whom the request is addressed obtains further information between the time the answers are served and the time of trial. Each request is addressed to the personal knowledge of the Defendant, as well as to the knowledge and information of the Defendant's attorneys, investigators, agents, employees, and other representatives. When a question is directed to the Defendant, the question is also directed to the aforementioned persons.

**DEFINITIONS**

**NOTE A:** Any reference to "you," "your," "this Defendants," "these Defendants" or any other similar reference shall be construed to acknowledge and/or otherwise identify Defendant TRANS TEXAS EXPRESS, INC., as identified in the Plaintiff's Complaint.

**NOTE B:** These interrogatories and requests for production of documents shall be deemed continuing so as to require supplemental answers upon receipt of additional information by this Defendants or this Defendants' attorney subsequent to the original response. Any such supplemental answers are to be filed and served upon counsel for the Plaintiff within thirty (30) days from receipt of such additional information but not later than the first of the trial of this case.



**NOTE C:** If you contend that any document or file requested is irrelevant or privileged in any way, please provide a list or index identifying all such documents (or each such documents compromising said file) by title, along with a short description of its subject matter.

**NOTE D:** The terms "Plaintiff," "Plaintiffs" and/or "Plaintiff's" refers to CARTAVIOUS WASHINGTON in his individual capacity on or about the date of the injury giving rise to the present lawsuit.

### **INTERROGATORIES**

1. State the full name, residence address, telephone number and relation (if any) to the Defendants in this case of all people who assisted in any way to answer these Interrogatories.

2. Has the Defendant been identified properly? If not, please identify the proper name and state whether the Defendant is a common carrier, contract carrier or private carrier.

3. Is the Defendant owned by or a subsidiary of another company, entity or person? If so, identify the company, entity or person by proper name and address.

4. State the full name and current residence address of each person who witnessed or claims to have witnessed the collision forming the basis of this lawsuit.

5. Identify the Defendant's Safety Director at the time of the collision forming the basis of this lawsuit, and identify the Defendant's Safety Director now.

6. Identify with particularity the make, type, year and registration of the commercial motor vehicle operated by the Defendant's driver on the date forming the basis of this lawsuit.

7. Describe the driver's trip on the date of the collision forming the basis of this lawsuit, including the point of origin, the destination, any stops and the purpose of the trip.

8. State whether the commercial motor vehicle involved in this crash was transporting a load of cargo at the time of the incident, and if so, identify the load, the scheduled delivery time & date, and identify the names and addresses of all shippers and consignees.

9. Identify all owners, lessors and lessees of the commercial motor vehicle involved in the collision forming the basis of this lawsuit, providing the name, address and interest in the commercial motor vehicle.

10. State the last known address of Pedro H. Fernandez.

11. Describe all traffic citations the Defendant driver received for a period of five (5) years before the collision forming the basis of this lawsuit, including the violation for which he was cited, the disposition of the citation, the state and court and whether the violation was in a commercial or personal vehicle.

12. State whether the Defendant or anyone acting on the Defendant's behalf has had any conversations with any witness or potential witness at any time with regard to the collision forming the basis of this lawsuit. If so, state:

- a. The date or dates of such conversations;
- b. The people present for such conversations;
- c. Whether a statement was written or recorded; and
- d. Who has possession of the statement if written or recorded.

13. State whether the individual responding to these Interrogatories has ever been convicted of a misdemeanor involving dishonesty or false statement or a felony of any kind. If so, state the nature of the crime, the date of conviction and the court in which the conviction occurred.

14. Identify all policies, procedures, manuals and/or guidelines that the Defendant's driver was required to comply with on the date of the collision forming the basis of this lawsuit.

15. Identify all previous employers for which/whom the Defendant has operated a commercial motor vehicle, including the name, address and telephone number of each employer.

16. Describe all training provided by the Defendant to the driver involved in the collision forming the basis of this lawsuit.

17. State whether any discipline or adverse action was imposed on the Defendant's driver as a result of the collision forming the basis of this lawsuit. If so, describe the action with particularity.

18. Identify all inspections performed on the commercial motor vehicle involved in the collision forming the basis of this lawsuit for one (1) year prior to the collision. For each such inspection, identify whether the inspection revealed any defects, and describe any such defects with particularity.

19. State whether the driver of the commercial motor vehicle involved in the collision forming the basis of this lawsuit had, on the date of the collision and during the five (5) years prior to the collision, a medical or physical condition that required a physician's report or letter of approval to drive a commercial motor vehicle. If so, state the nature of the condition, the date of diagnosis and identify the treating physician by name and address.

20. State whether the driver consumed any alcohol within thirty-six (36) hours of the collision forming the basis of this lawsuit. If so, identify the type and quantity of alcohol consumed, where the alcohol was consumed and who was present with the driver when the alcohol was consumed.

21. State whether the driver consumed any medication or illegal drugs in the thirty-six (36) hours prior to the collision. If so, identify the type and quantity of the substance consumed, and, for all prescription medications, the name and address of the prescribing physician.

22. State the name and address of each witness who will testify at trial in this case.

23. State whether there were any other occupants of the Defendant driver's vehicle at the time of the collision forming the basis of this lawsuit. If so, identify each such occupant by name and address.

24. State all federal motor carrier numbers and/or DOT numbers issued to the Defendant.

25. Identify each expert witness you intend to call at the trial of this lawsuit, and provide a full summary of the information required by *Alabama Rule of Civil Procedure 26* for each such expert witness.

26. Identify each step in the hiring process taken by the Defendant at the time the driver was hired.

27. State whether the commercial motor vehicle was equipped, at the time of the collision forming the basis of this lawsuit, with a GPS, satellite communication and/or e-mail communication device. If so, identify the make and model of the system.

28. State whether the commercial motor vehicle involved in the crash has an on-board computer or a device used for generating service logs or for the purpose of log auditing. If so, identify the computer and software used.

29. State whether the commercial motor vehicle was equipped with any kind of on-board recording device, whether such device is designed to record data, audio or video. If so, state the type of device and what information is capable of being recorded by the device.

#### **REQUESTS FOR PRODUCTION**

1. Produce all existing maintenance, inspection and repair records/work orders pertaining to the commercial motor vehicle involved in the collision forming the basis of this lawsuit.

2. Produce all existing daily driver inspection reports for the commercial motor vehicle involved in the collision forming the basis of this lawsuit.

3. Produce the driver's complete personnel file.

4. Produce the driver's complete human resources file.
5. Produce the driver's complete driver qualification file.
6. Produce the driver's complete medical qualification file.
7. Produce a legible color copy of the driver's commercial driver's license, front and back.
8. Produce legible color copies of photographs, video, computer-generated media and/or other recordings of the interior or exterior of the vehicles involved in the collision forming the basis of this lawsuit.
9. Produce legible color copies of photographs, video, computer-generated media and/or other recordings of the scene of the collision forming the basis of this lawsuit.
10. Produce legible color copies of photographs, video, computer-generated media and/or other recordings of the Plaintiff generated pursuant to surveillance of the Plaintiff.
11. Produce the driver's post-collision alcohol and drug testing results.
12. Produce any lease contracts covering the driver, any other Defendant or the commercial motor vehicle involved in the collision forming the basis of this lawsuit.
13. Produce any post-collision maintenance, inspection, repair records or invoices pertaining to the commercial motor vehicle involved in the collision forming the basis of this lawsuit.
14. Produce all service logs, official or unofficial, pertaining to the Defendant driver for the thirty (30) days prior to and the thirty (30) days after this incident, including the date of the incident.
15. Produce all records pertaining to the driver or the commercial motor vehicle involved in the collision for the day of this collision and the seven (7) day period preceding the



collision, consisting of all "supporting documents" you are required to maintain under 49 C.F.R. §395.8(k) and subsequent guidance and interpretation concerning said documents.

16. Produce all DOT inspection reports filed concerning the Defendant driver for the year of the incident, three (3) years prior to the incident and three (3) years after the incident.

17. Produce all DOT and state inspection reports pertaining to the commercial motor vehicle involved in this incident for the year of the incident and the year prior to the incident.

18. Produce any emails, electronic messages, letters, memos, correspondence or other communications generated by or received by any Defendant and pertaining in any way to this collision.

19. Produce any drivers' manuals, guidelines, rules or regulations given to drivers by any Defendant.

20. Produce any reports, memos, notes, logs or other documents evidencing complaints about the driver involved in the collision forming the basis of this lawsuit.

21. Produce any downloadable data retrieved from any satellite tracking system, satellite communications system or other such similar module for the seven (7) days prior to the incident and including the day of the incident.

22. Produce all OmniTRAC, Qualcomm, MVPC, QTRACS, OmniExpress, TruckMail, TrailerTRACS, SensorTRACS, JTRACS and other similar systems' data for the six (6) months prior to the collision pertaining to this commercial motor vehicle.

23. Produce all data recorded by any kind of video recording system, such as DriveCam, Safety Vision or other such systems, pertaining to this commercial motor vehicle for the seven (7) days prior to the incident and including the day of the incident.

24. Produce all data recorded by any kind of accelerometer recording system, including the "Witness" system, for the seven (7) days prior to the incident and including the day of the incident.

25. Produce all data recorded by the Electronic Control Module (ECM) for the seven (7) days prior to the incident and including the day of the incident, including all possible retrievable data and the clock calibration files.

26. Produce all data recorded by any Airbag Control Module (ACM), Powertrain Control Module (PCM), Roll Over Sensor (ROS) or Anti-Lock Brake System (ABS) module for the seven (7) days prior to the incident and including the day of the incident.

27. Produce all data recorded by any Event Data Recorder (EDR) for the seven (7) days prior to the incident and including the day of the incident.

28. Produce all diagrams, surveys, sketches or reproductions of the vehicles or the scene of the collision forming the basis of this lawsuit.

29. Produce all manuals, statutes, standards, guidelines, rules, regulations or procedures that the Defendant will use or rely upon in the defense of the Plaintiffs' lawsuit.

30. Produce all books, texts, publications, journals, pamphlets, treatises or other documents that the Defendant will use or rely upon in the defense of the Plaintiffs' lawsuit.

31. Produce all documents, exhibits or other tangible or demonstrative evidence that the Defendant will introduce into evidence, use at a deposition or use at trial in this case.

32. Produce all documents pertaining to any arrests or convictions of the driver.

33. Produce all documents pertaining to medications being taken by or prescribed to the driver of the commercial motor vehicle in this case.

34. Produce all accident reports, police reports and/or investigation reports regarding the collision forming the basis of this lawsuit.

35. Produce all training or instructional videotapes, CD's, DVD's, electronic modules, books or other documents or materials used by the Defendant to train any of its drivers at any time during the five (5) years prior to the collision forming the basis of this lawsuit.

36. Produce a copy of all wrecker and/or tow truck records pertaining to the vehicle operated by the driver at the time of the collision forming the basis of this lawsuit.

37. Produce a copy of the truck and trailer title, licenses and registration for the vehicle being operated at the time of the collision forming the basis of this lawsuit.

38. Produce a copy of any placards displayed on the commercial motor vehicle being operated at the time of the collision forming the basis of this lawsuit.

39. Produce a copy of any and all primary and excess insurance policies, including applications, renewal applications, binders, declarations, endorsements and riders, which may provide any coverage for the collision forming the basis of this lawsuit.

40. Produce all documents pertaining to the purchase or lease of the commercial motor vehicle involved in the collision forming the basis of this lawsuit.

41. Produce all documents pertaining to any disciplinary actions taken against the driver of the commercial motor vehicle involved in the collision forming the basis of this lawsuit at any time during the three (3) years prior to the collision.

42. Produce all documents pertaining to the Defendant's policies and procedures relating to alcohol and drug testing of drivers.

43. Produce all statements, whether written, summarized and/or recorded on audio or video, taken of the Plaintiff at any time subsequent to the collision forming the basis of this lawsuit.

44. Produce all cell phone records pertaining to calls made or received by the driver on the date of the collision forming the basis of this lawsuit; alternatively, state the name of the driver's cell phone provider and the phone number and account number assigned by the cell phone provider.

45. Produce copies of all resumes or similar documents setting forth the educational background and qualifications of each expert witness expected to testify at the trial of this case.

46. Produce copies of all documents or other materials the Defendant has obtained or will obtain during the course of this litigation by Rule 45 subpoena(s).

Dated: This, the 27<sup>th</sup> day of November, 2018.

/s/ Andrew J. Moak

Andrew J. Moak (MOA001)

Attorney for the Plaintiffs

**OF COUNSEL:**

**SHUNNARAH INJURY LAWYERS, P.C.**

2900 1<sup>st</sup> Avenue South

Birmingham, Alabama 35233

P (205) 983-8163

F (205) 983-8463

**TO BE SERVED WITH THE COMPLAINT**



ELECTRONICALLY FILED

2/6/2019 11:59 AM

01-CV-2018-904746.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA****CARTAVIOUS WASHINGTON, an  
individual,****Plaintiff,****v.****TRANS TEXAS EXPRESS, INC., a  
foreign corporation; *et al.*,****Defendants.****Case No.: CV-2018-904746****PLAINTIFF'S MOTION TO TRANSFER VENUE AND MOTION TO EXTEND TIME TO  
PERFECT SERVICE**

COMES NOW Cartavious Washington, Plaintiff in the above-styled civil action, by and through his undersigned counsel of record, and hereby files his Motion to Transfer Venue, stating as follows:

1. The incident forming the basis of this incident occurred in Montgomery County, Alabama, as alleged in the Plaintiff's Complaint. The Plaintiff intended to file this case in Montgomery County, Alabama, which is the proper venue for the lawsuit, but inadvertently selected Jefferson County as the venue.
2. Accordingly, the undersigned requests that the Court grant his Motion to Transfer Venue, transferring this case to the Circuit Court of Montgomery County, Alabama for further litigation.
3. Additionally, the Plaintiff requests that the Court allow additional time for the Plaintiff to perfect service on Defendant Trans-Texas Express, Inc. Upon transfer of venue, the undersigned will file an alias summons and engage a process server to perfect personal service on the Defendant's registered agent.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff, Cartavious Washington, requests that the Court grant the Plaintiff's request for an extension of time to perfect service and transfer this case to Montgomery County Circuit Court for continued litigation.

**Dated:** This, the 6<sup>th</sup> day of February, 2019.

/s/ Andrew J. Moak

Andrew J. Moak (MOA001)  
Attorney for the Plaintiffs

**OF COUNSEL:**

SHUNNARAH INJURY LAWYERS, P.C.  
2900 1<sup>st</sup> Avenue South  
Birmingham, Alabama 35233  
P (205) 983-8163  
F (205) 983-8463



**Exhibit 3**

**(Anderson Affidavit and Attachments)**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>CARTAVIOUS WASHINGTON,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	<b>CASE NO.:</b>
	)	
	)	
<b>v.</b>	)	
	)	
<b>TRANS TEXAS EXPRESS,</b>	)	
<b>INC., ET. AL.</b>	)	
	)	
	)	
<b>Defendants.</b>	)	

**AFFIDAVIT OF DAVID ANDERSON**

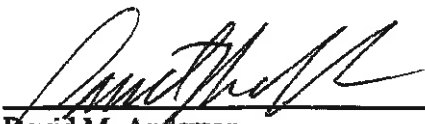
STATE OF ALABAMA	)	
	)	
COUNTY OF MONTGOMERY	)	

Before me, the undersigned authority, personally appeared, David M. Anderson, who is being known to me and by me first duly sworn, deposes and states as follows:

1. My name is David M. Anderson. I am the President of Premier Capitol Adjusters and am over the age of nineteen, and I state the following facts based upon my own personal knowledge and belief:
2. I testify that I have personal knowledge of and can authenticate the attached pictures to this Affidavit.
3. I personally took the attached pictures to this Affidavit some time in the spring of 2017.

4. The attached pictures (Exhibit A1-9 ) fairly and accurately represent the vehicle that was operated by Walter O. Griffin on or about January 31, 2017 after the subject accident.
5. The attached pictures (Exhibit B 1-4) fairly and accurately represent the vehicle that was operated by Pedro Fernandez on or about January 31, 2017 after the subject accident.

Further affiant saith not.

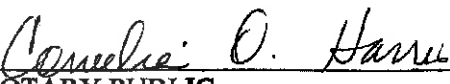
  
\_\_\_\_\_  
David M. Anderson

STATE OF ALABAMA )

COUNTY OF Montg )

I, Cornelia O. Harris, a Notary Public, in and for the said County in said State, hereby certify that **David M. Anderson**, whose is name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he executed the same voluntarily.

SWORN TO and SUBSCRIBED before me this 6 day of Dec, 2018.

  
\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 6-22-22

**Exhibit A-1**

**Photo of Walter Griffin's Ford Truck, Front Side**



**Exhibit A-2**

**Photo of Walter Griffin's Ford Truck, Front Passenger's Side**





**Exhibit A-3**

**Photo of Walter Griffin's Ford Truck, Front Driver's Side**



**Exhibit A-4**

**Photo of Walter Griffin's Ford Truck, Front Driver's Side-Missing Headlight**



**Exhibit A-5**

**Photo of Walter Griffin's Ford Truck, Front Driver's Side-Missing Front Tire**





**Exhibit A-6**

**Photo of Walter Griffin's Ford Truck, Damaged Driver's Door**



**Exhibit A-7**

**Photo of Walter Griffin's Ford Truck, Damaged Driver's Side**



**Exhibit A-8**

**Photo of Walter Griffin's Ford Truck, Damaged Back Door on Driver's Side**







**Exhibit A-9**

**Photo of Walter Griffin's Ford Truck, Back Side**



**Exhibit B-1**

**Trans Texas' Kenworth Tractor Trailer, Front Side**



**Exhibit B-2**

**Trans Texas' Kenworth Tractor Trailer, Passenger's Side**



**Exhibit B-4**

**Trans Texas' Kenworth Tractor Trailer, Damaged Trailer On Passenger's Side**





**Exhibit 4**

**(Pictures of the Scene of the Accident)**





**Exhibit 5**

**(Accident Report)**



AST-27  
REV. 05/08

Check if Amendment <input type="checkbox"/>		<b>ALABAMA UNIFORM TRAFFIC CRASH REPORT</b>						DPS Case No. 7612264	
Check if Error Correction <input type="checkbox"/>		# Vehicles	# Pedestr.	# Injured	# Fatalities	# Unit 1 Type	# Unit 2 Type	Case No. 2017-23007	
		3	0	1	0	3	11		

Sheet 1

LOCATION AND TIME	Date	01	31	2017	Time	1750 MT	Day of Week	Tue	County	Montgomery	City	Montgomery	Rural	Local Zone	22									
	Hwy Class	1	On Street, Road, Highway				At Intersection of or Between (Node 1)				And (Node 2)													
	I-85				ATLANTA HWY				TAYLOR RD															
	Mile Post		10.7		Control Access Hwy Loc		1		Primary Contrib Circum		22		Primary Contributing Unit #Unknown		First Harmful Event Location		22		Most Harmful Event		22			
	Distance to Fixed Object		N/A		Roadway Junction/ Feature		1		Manner of Crash		10		Lat Coordinate		32° 22' 1.026" N		Long Coordinate		86° 8' 39.702" W		Coordinate Type		1	
	School Bus Related		1		Crash Severity		C		Distracted Driving		97													

1 UNIT NO	DRIVER	Driver Full Name		WALTER OTHA GRIFFIN JR		Street Address		237 TENSAR RD		City and State		MONTGOMERY AL		ZIP		36117		Telephone		(334) 279-0497	
		DOB		02		20		1941		Race		1		Sex		1		DL State		AL	
		Driver License No.		6258103		DL Class		D		DL Status		C		Restrict Violations		97		CDL Status		97	
		Place of Employment		97		Residence Less Than 25 Miles		Yes		Liability Insurance Co.		Starr Companies		Liability Policy No.		SIANCA01047700		Insurance NAIC Number			
		Driver Condition		1		Sobriety/ Officer Opinion		Alcohol: No		Type Alcohol		6		Alcohol Test Results		N/A		Type Drug Test Given		4	
		Most Harmful Event for MV		22		Travel Road Name		I-85		Road Code		I085		Travel Direction		4		Unit Contributing Circumstance		97	
		Sequence of Events		22		Event 1		22		Event 2		97		Event 3		97		Event 4		97	
		Veh Year		2000		Make		FORD		Veh Model		F250 4X4 XL SUPERCAB		Body		2		V.I.N.		1FTNX21F1YEC04515	
		Owner's Name		Same		License Tag Number		5851AG6		State		AL		Year		2017		Street or R.F.D.		Same	
		Type		3		Usage		1		Emergency Status		97		Placard Status		3		Placard Required		97	
Attachment		1		Oversized Load		N/A		If Yes, Did Owner Have Permit?		N/A		Contrib Defect		1		Speed Limit		70 MPH			
Damage Severity		4		Towed?		1		Vehicle Towed By Whom:		SEAMON WRECKER		Towed To Where:		SEAMON WRECKER							

2 UNIT NO	DRIVER	Driver Full Name		PEDRO H FERNANDEZ		Street Address		313 PINTO VALLE DR		City and State		LAREDO TX		ZIP		78045		Telephone		(956) 285-6619	
		DOB		03		17		1985		Race		3		Sex		1		DL State		MX	
		Driver License No.		CHIH110533		DL Class		B		DL Status		C		Restrict Violations		97		CDL Status		C	
		Place of Employment		97		Residence Less Than 25 Miles		Yes		Liability Insurance Co.		LICONIA INS GROUP		Liability Policy No.		MAT-003500-30438		Insurance NAIC Number		N/A	
		Driver Condition		1		Sobriety/ Officer Opinion		Alcohol: No		Type Alcohol		6		Alcohol Test Results		N/A		Type Drug Test Given		4	
		Most Harmful Event for MV		22		Travel Road Name		I-85		Road Code		I085		Travel Direction		4		Unit Contributing Circumstance		97	
		Sequence of Events		22		Event 1		22		Event 2		22		Event 3		11		Event 4		97	
		Veh Year		2011		Make		KW		Veh Model		TT		Body		97		V.I.N.		1XKAD49X3BJ290851	
		Owner's Name		TRANS TEXAS EXPRESS		License Tag Number		R285447		State		TX		Year		2017		Street or R.F.D.		313 PINTO VALLE DR	
		Type		11		Usage		6		Emergency Status		97		Placard Status		3		Placard Required		2	
Attachment		7		Oversized Load		No		If Yes, Did Owner Have Permit?		N/A		Contrib Defect		1		Speed Limit		70 MPH			
Damage Severity		4		Towed?		1		Vehicle Towed By Whom:		SEAMON WRECKER		Towed To Where:		SEAMON WRECKER							

3 UNIT NO  <input type="checkbox"/> LEFT SCENE  <input type="checkbox"/> COM VEH  <input checked="" type="checkbox"/> VEHICLE or NON-MOTORIST	Driver Full Name CARTAVIOUS KIANTE WASHINGTON		Street Address 112 BAY ST		City and State TUSKEGEE AL		ZIP 36083		Telephone 97		
	DOB 11 Month	21 Day	1994 Year	Race 2	Sex 1	DL State AL	License No 8563865	DL Class D	DL Status R	Res. Violations	CDL Status 97
	Place of Employment 97								Residence Less Than 25 Miles Yes		
	Liability Insurance Co. Progressive						Liability Policy No. 58341037		Insurance NAIC Number		
	Driver Condition 1		Sobriety/ Officer Opinion		Alcohol: No Drugs: No		Type Alcohol Test Given		Alcohol Test Results		
	Most Harmful Event for MV		Travel Road Name		Road Code		Travel Direction		Drug Test Results		
	Sequence of Events		Event 1		Event 2		Event 3		Event 4		
	Veh Year		Make		Veh Model		Body		V.I.N.		
	Owner's Name				License Tag Number				State		
	Street or R.F.D.				City				State		
Type		Usage		Emergency Status		Placard Status		Placard Required			
Attachment		Oversized Load		If Yes, Did Owner Have Permit?		Contrib Defect		Speed Limit			
Damage Severity		Towed?		Vehicle Towed By Whom:		Est Speed		Citation Offense(s) Charged			
Towed To Where:										Areas Damaged Are Shaded 14 Under Carriage 12 13 15 Point of Initial Impact 1	

## Seating Position Codes

2, 4, or 6 Passenger

9 Passenger (add):

12 Passenger (add):

Bicycle, Motorcycle, ATV

12 - Pedestrian

16 - Not in Passenger Compartment

1	2	3
4	5	6

7	8	9
---	---	---

17	18	19
----	----	----

10
----

11
----

13 - Rider of Domestic Animal

14 - Occ. of Non-Motorized Vehicle

15 - Passenger of Bus

97 - Not Applicable

98 - Other (Explain)

99 - Unknown

## UNINJURED OCCUPANTS

Unit No	Seat Pos	Occ. Type	Safety Equip.	Air-bag	Age Code	Sex	Ejec-tion	Birth Date	Unit No	Seat Pos	Occ. Type	Safety Equip.	Air-bag	Age Code	Sex	Ejec-tion	Birth Date
1	1	1	2	2	9	1	1	02/20/1941	2	1	1	2	1	8	1	1	03/17/1985

## VICTIMS

Name CARTAVIOUS KIANTE WASHINGTON										Unit No		Seat Pos	Occ. Type	Safety Equip.	Air-bag	Injury Type	Age	Sex	Ejec-tion	First Aid By
Address 112 BAY ST TUSKEGEE AL 36083										3		1	1	2	2	4	7	1	1	1
Taken To BAPTIST SOUTH										Taken By HAYNES										
Medical Facility EMS ground										Birth Date 11/21/1994										





A D.O.T. INSPECTION WAS PERFORMED ON UNIT TWO AND NO VIOLATIONS WERE FOUND.

Unit No.	1	Involved Road/ Bridge	1	Road Surface Type	1	Roadway Condition	1	Workzone Related?	1	Workzone Type	97	Workers Present ?	NotApplicable	Workzone Law Enforcement Present?	97	Contributing Circumstances Environment	1	Contrib Matl In Roadway	1				
Contrib Material Source	97	Rdwy Curve & Grade	1	Vision Obscur ed By	1	Traffic Control	1	Traffic Control Functioning	97	Opposing Lane Separation	1	Trafficway Lanes	3	Turn Lanes	97	One-Way Street	No	Total # Occupant s In Unit	1	Total # Injured in Unit	0	Total # Killed in Unit	0
Total Number of Units		Light 5					Weather 1					Locale 3			Police Present? No		DOT Railroad Crossing No. N/A						
Unit No.	2	Involved Road/ Bridge	1	Road Surface Type	1	Roadway Condition	1	Workzone Related?	1	Workzone Type	97	Workers Present ?	NotApplicable	Workzone Law Enforcement Present?	97	Contributing Circumstances Environment	1	Contrib Matl In Roadway	1				
Contrib Material Source	97	Rdwy Curve & Grade	1	Vision Obscur ed By	1	Traffic Control	1	Traffic Control Functioning	97	Opposing Lane Separation	1	Trafficway Lanes	3	Turn Lanes	97	One-Way Street	No	Total # Occupant s In Unit	1	Total # Injured in Unit	0	Total # Killed in Unit	0
Total Number of Units		Light 5					Weather 1					Locale 3			Police Present? No		DOT Railroad Crossing No. N/A						

ROADWAY ENVIRONMENT																											
Unit No.	3	Involved Road/Bridge	1	Road Surface Type	1	Roadway Condition	1	Workzone Related?	1	Workzone Type	97	Workers Present?	NotApplicable		Workzone Law Enforcement Present?	97	Contributing Circumstances Environment	1	Contrib Mat'l In Roadway	1							
Contrib Material Source	97	Rdway Curve & Grade	1	Vision Obscured By	1	Traffic Control	1	Traffic Control Functioning	97	Opposing Lane Separation	1	Trafficway Lanes	3	Turn Lanes	97	One-Way Street	No	Total # Occupants In Unit	1	Total # Injured in Unit	1	Total # Killed in Unit	0				
Total Number of Units		3		Light		5		Weather		1		Locale		3		Police Present?		No		DOT Railroad Crossing No.			N/A				
INVESTIGATION																											
Name of Photographer										N/A																	
Time Police Notified		1752 MT		Time Police Arrived		1800 MT		Time EMS Arrived		1800 MT		EMS Response Run #		R97													
Name of Investigating Officer										S P MANUEL										Officer ID		2025		Agency ORI		AL0030100	
Name of Investigating Officer										A M PILGREEN										Officer ID		1831		Agency ORI		AL0030100	
The data on this report reflects the best knowledge, opinion, and belief regarding the crash, but no warrant is made as to the factual accuracy thereof.																											

Unit No. 2  
(same as on main report)

# ALABAMA UNIFORM TRAFFIC CRASH REPORT

## Truck/Bus Supplemental Sheet

### General Instructions

Complete this form each qualifying vehicle ONLY if the crash meets BOTH of the Following criteria:

1. The crash involved a qualifying vehicle (a truck with a gross vehicle weight rating (GVWR) or a gross combination weight rating (GCWR) of more than 10,000 pounds, or Haz/Mat placard, or a vehicle designed to carry nine 9 or more, including driver) and;
2. The crash resulted in at least one of the following: A. one or more fatalities B. one or more persons injured and taken from the scene for immediate medical attention, or C. one or more involved vehicles had to be towed from the scene as a result of disabling damage or had to receive assistance to leave.

### Screening Information

#### Number of Qualifying Vehicles:

Trucks with GVWR or GCWR of more than

10,000 pounds or Haz/Mat placard 1

Buses designed to carry 9 or more (including driver) 0

#### Number of Persons:

Sustaining fatal injuries 0

Transported for immediate medical treatment 1

Number of vehicles towed from scene due to damage 3

### Vehicle Information

#### Weight Rating of Power Unit of the Truck

3. - More than 26,000 pounds

#### Hazardous Material Involvement

Did vehicle have a Haz/Mat placard? ☐

If Yes, include following information from placard

A. Name or 4-digit number from Diamond or box \_\_\_\_\_

B. The 1-digit number from bottom of diamond \_\_\_\_\_

Was hazardous material released from THIS vehicle's cargo? ☐

#### Vehicle Configuration

9. - Tractor with semi-trailer

#### Bus Usage

1. - Not a bus

#### Cargo Body Type

5. - Flatbed

#### Cargo Type

16. - Logs, poles, lumber

### Motor Carrier Information

NOTE: If NOT a motor carrier, enter NONE under Carrier Name, 0 for None under Carrier Identification Numbers, and go to Sequence Of Events Section

Carrier Name TRANS TEXAS EXPRESS

Carrier Phone \_\_\_\_\_

Carrier Mailing Address (Street or P.O. Box) 313 PINTO VALLE DR

City, State, Zip LAREDO, TX 78045

None = 0)

Motor Carrier Type 1. - Interstate carrier

US DOT 2785406

ICC MC N/A

STATE NO. N/A

STATE \_\_\_\_\_

OTHER COUNTRY AUTHORITY \_\_\_\_\_

COUNTRY N/A

### Sequence of Events

NOTE: for THIS vehicle -- list up to four Event #1 13 Event #2 3 Event #3 97 Event #4 97

EVENT CODES	Non-Collision	1. Ran off road	2. Jackknife	3. Overturned (rollover)	4. Downhill runaway
		5. Cargo loss or shift	6. Explosion or fire	7. Separation of units	8. Cross median/centerline
		9. Equipment Failure (brake failure, blown tires, etc.)	10. Other non-collision	11. Unknown	
	Collision with	12. Pedestrian	13. Motor Vehicle in Transport	14. Parked Motor Vehicle	15. Train
		16. Pedalcycle	17. Animal	18. Fixed object	19. Work Zone Maintenance equipment
		20. Other movable object	21. Unknown movable object		
	Not applicable	97. Not applicable			

## Definitions

## Truck

A motor vehicle designed, used or maintained primarily for the transportation of property. For the purpose of this form the vehicle must also meet one of the following criteria:

- \* Have a GVWR or a GCWR of more than 10,000 pounds, or
- \* Carry a Hazardous Material Placard

## Bus

A motor vehicle providing seats for 9 or more persons including the driver and used primarily for the transportation of persons.

## Trailer

A non-power vehicle towed by a motor vehicle.

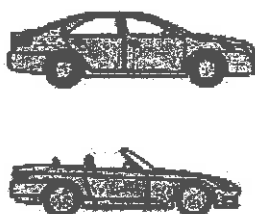
## Report a Crash

A highway related incident normally investigated by a police officer and reported on a standard crash report form involving one or more trucks or buses (as defined here) which results in:

- \* One or more fatalities, or
- \* One or more non-fatal injuries requiring transportation for the purpose of obtaining immediate medical treatment, or
- \* One or more of the vehicles being removed from the scene as a result of disabling damage, or
- \* One or more of the vehicles requiring intervening assistance before proceeding under its own power.

## Typical Vehicle Silhouettes

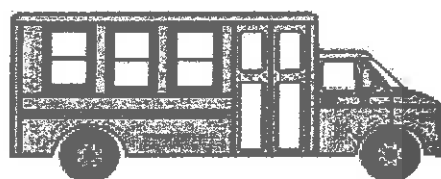
## 1. Passenger Vehicle



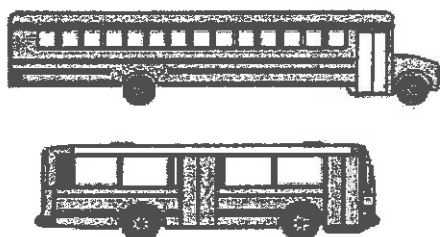
## 2. Light truck (van, mini-van, panel, pickup, sport utility vehicle)



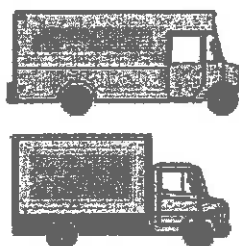
## 3. Bus (seats for 9-15 people, including driver)



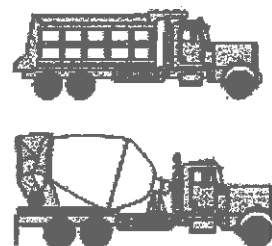
## 4. Bus (seats for more than 15 people, including driver)



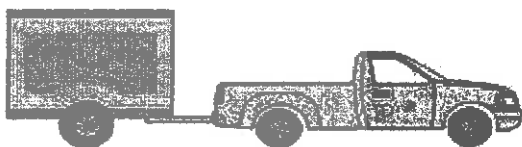
## 5. Single unit truck - 2 axles / 6 tires



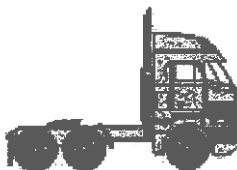
## 6. Single unit truck - 3 axles



## 7. Truck with trailer



## 8. Truck tractor (bobtail)



## 9.



## 10. Tractor with double trailers



## 11. Tractor with triple trailers



## Typical Hazardous Material Placards



## LEGEND

Location	Category	Code	Description	Location	Category	Code	Description
Report Header	Unit Type	11	Tractor / semi-trailer	Driver	Phone Number Code	97	Not applicable
Report Header	Unit Type	3	Pick-up	Driver	Place of Employment	97	Not applicable
Location And Time	Contributing Circumstance	22	Improper lane change / use	Driver	Race	1	White / Caucasian
Location And Time	Contributing Unit	0	Unknown	Driver	Race	2	Black / African-American
Location And Time	Controlled Access Highway Location	1	Main road	Driver	Race	3	Hispanic
Location And Time	Coordinate Status	Known	Known	Driver	Residence Within 25 Miles	Yes	Yes
Location And Time	Coordinate Type	1	From computerized map	Driver	Travel Direction	4	West
Location And Time	Crash Manner	10	Sideswipe, same direction	Vehicle	Attachment	1	None
Location And Time	Crash Severity	C	Possible injury	Vehicle	Attachment	7	Large utility (2+ axles)
Location And Time	Distance Node Unit	10	Feet	Vehicle	Body	2	Four door
Location And Time	Distracted Driving	97	Not applicable (not distracted)	Vehicle	Body	97	Not applicable - not passenger car, personal van, or SUV
Location And Time	Harmful Event	22	Collision with vehicle in traffic	Vehicle	Citation Offense	98	None
Location And Time	Highway Classification	1	Interstate	Vehicle	Damage Severity	4	Major, disabled
Location And Time	Highway Side	2	Southbound	Vehicle	Defect	1	None
Location And Time	Roadway Feature	1	No special feature	Vehicle	Emergency Status	97	Not applicable
Location And Time	School Bus Related	1	No school bus involved	Vehicle	Estimated Speed Code	Unk	Unknown
Location And Time	Time Display Format	20	Military	Vehicle	Hazardous Cargo	1	None
Driver	Alcohol Test Type	6	No Test Given	Vehicle	Hazardous Cargo	97	Not applicable
Driver	Commercial Driver License Status	97	Not applicable / unlicensed	Vehicle	Hazardous Cargo Release Type	97	Not applicable
Driver	Commercial Driver License Status	C	Current / valid	Vehicle	K12 Child Going To Or From School	0	Not Set
Driver	Contributing Circumstance	97	Not applicable	Vehicle	Make	FORD	Ford
Driver	Driver Address Code	0	Not Set	Vehicle	Make	HYUN	Hyundai
Driver	Driver Condition	1	Apparently normal	Vehicle	Make	KW	Kenworth Truck Co.
Driver	Driver License Class Code	0	Not set	Vehicle	Non-Motorist Action	0	Not Set
Driver	Driver License Endorsement	97	Not applicable	Vehicle	Non-Motorist Location	0	Not Set
Driver	Driver License Number	0	Not set	Vehicle	Oversized Load	N/A	NotApplicable
Driver	Driver License Restriction	97	Not applicable	Vehicle	Oversized Load	No	No
Driver	Driver License State Code	0	Not set	Vehicle	Oversized Load Permit	N/A	NotApplicable
Driver	Driver License Status	C	Current / valid	Vehicle	Owner Address Code	0	Not Set
Driver	Driver License Status	R	Revoked	Vehicle	Owner Address Code	Same	Same
Driver	Driver Name Code	0	Not Set	Vehicle	Owner Name Code		Not Set
Driver	Drug Test Result	97	Not applicable	Vehicle	Owner Name Code	Same	Same as driver
Driver	Drug Test Type	4	No test given	Vehicle	Placard Requirement	2	No
Driver	Gender	1	Male	Vehicle	Placard Requirement	97	Not applicable
Driver	Harmful Event	22	Collision with vehicle in traffic	Vehicle	Placard Status	3	Not applicable (placard not required)
Driver	Liability Ins. Policy Code	0	Not Set	Vehicle	Tag Number		Not set
Driver	Liability Insurance NAIC Number Code		Not Set	Vehicle	Tag State	0	Not set
Driver	Liability Insurance NAIC Number Code	N/A	Not Applicable	Vehicle	Tag Year	0	Not set
Driver	Maneuver	1	Movement essentially straight	Vehicle	Tow Status	1	Towed due to disabling damage
Driver	Phone Number Code	0	Not Set	Vehicle	Towed Code	0	Not Set

## LEGEND

Location	Category	Code	Description	Location	Category	Code	Description
Vehicle	Unit Type	1	Passenger car	Roadway Environment	Trafficway Lane Count	3	Three lanes
Vehicle	Unit Type	11	Tractor / semi-trailer	Roadway Environment	Turn Lane Presence	97	Not applicable
Vehicle	Unit Type	3	Pick-up	Roadway Environment	Vision Obscuration	1	Not obscured
Vehicle	Usage	1	Personal vehicle	Roadway Environment	Weather Condition	1	Clear
Vehicle	Usage	6	Cargo Transportation	Roadway Environment	Workzone Law Enforcement Presence	97	Not applicable
Vehicle	VIN	0	Not set	Roadway Environment	Workzone Relationship	1	Not in / related to workzone
Vehicle	Year		Not set	Roadway Environment	Workzone Type	97	Not applicable
Uninjured Occupants	Age Code	8	26 - 64	Truck/Bus Supplement	Bus Usage	1	Not a bus
Uninjured Occupants	Age Code	9	65 or older	Truck/Bus Supplement	Cargo Body Type	5	Flatbed
Uninjured Occupants	Airbag	1	Not installed	Truck/Bus Supplement	Cargo Type	16	Logs, poles, lumber
Uninjured Occupants	Airbag	2	Not deployed, no switch	Truck/Bus Supplement	Carrier Address Code	0	Not Set
Uninjured Occupants	Birth Date Code	0	Not Set	Truck/Bus Supplement	Carrier Name Code	0	Not Set
Uninjured Occupants	Ejection Status	1	Not ejected or trapped	Truck/Bus Supplement	Carrier Phone Code	0	Not Set
Uninjured Occupants	Gender	1	Male	Truck/Bus Supplement	Country Number Code	N/A	Not applicable
Uninjured Occupants	Occupant Type	1	Driver	Truck/Bus Supplement	ICCMC Number Code	N/A	Not applicable
Uninjured Occupants	Safety Equipment	2	Shoulder and lap belt used	Truck/Bus Supplement	Motor Carrier Type	1	Interstate carrier
Victims	Age Code	7	21 - 25	Truck/Bus Supplement	State Number Code	N/A	Not applicable
Victims	Airbag	2	Not deployed, no switch	Truck/Bus Supplement	USDOT Number Code	0	Not Set
Victims	Birth Date Code	0	Not Set	Truck/Bus Supplement	Vehicle Configuration	9	Tractor with semi-trailer
Victims	Ejection Status	1	Not ejected or trapped	Truck/Bus Supplement	Weight Rating	3	More than 26,000 pounds
Victims	First Aid Provider	1	Paramedic / EMT				
Victims	Gender	1	Male				
Victims	Injury Type	4	Not visible but complains of pain				
Victims	Medical Facility Transport	2	EMS ground				
Victims	Occupant Type	1	Driver				
Victims	Safety Equipment	2	Shoulder and lap belt used				
Victims	Victim Taken By		Not Set				
Victims	Victim Taken To		Not Set				
Roadway Environment	Environmental Contributing Circumstance	1	None apparent				
Roadway Environment	Light Condition	5	Dark, spot illumination, one side of roadway				
Roadway Environment	Locale	3	Shopping or business				
Roadway Environment	Opposing Lane Separation	1	None				
Roadway Environment	Road Bridge Condition	1	None apparent				
Roadway Environment	Road Surface Type	1	Asphalt				
Roadway Environment	Roadway Condition	1	Dry				
Roadway Environment	Roadway Curvature And Grade	1	Straight, level				
Roadway Environment	Roadway Material	1	None				
Roadway Environment	Roadway Material Source	97	Not applicable				
Roadway Environment	Traffic Control	1	No controls present				
Roadway Environment	Traffic Control Status	97	Not applicable				